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Message Text

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43
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INFO OCT-01 ISO-00 DODE-00 PM-07 EB-11 TRSE-00 CIAE-00

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DRAFTED BY DOD/ISA:MR KELLY/EA/TB:JBDEXTER
APPROVED BY EA/TB:JBDEXTER
DOD:SECRETARY CLEMENTS
OSD/GC:MR FORMAN
DSAA:MR VON MARBOD
OSD/I&L:MR WITT
PM:TCOONY
---------- 119204
R 282225Z DEC 73
FM SECSTATE WASHDC
TO AMEMBASSY BANGKOK
CINCPAC HONOLULU HI
COMUSMACTHAI

UNCLAS STATE 251741

E.O. 11652: N/A
TAGS: MARR, TH
SUBJECT: PROPERTY DISPOSAL DURING CLOSURE OF US MILITARY FACILITIES IN THAILAND

REF: A. BANGKOK 19247/DTG 130830Z DEC 73
B. BANGKOK 19377/DTG 141025Z DEC 73 (NOTAL)

1. EMBASSY BANGKOK PROPOSALS IN REF A CONCERNING DISPOSAL OF PROPERTY WHICH MAY BECOME AVAILABLE DURING THE CLOSURE OF US MILITARY FACILITIES IN THAILAND HAVE BEEN REVIEWED HERE AND APPROVED IN PRINCIPLE. PROCEDURES IN FOLLOWING PARAGRAPHS HAVE BEEN PROVIDED BY DOD.

2. THE SECRETARIES OF THE MILITARY DEPARTMENTS, BY STATUTE, MAKE THE DETERMINATION OF WHAT IS EXCESS PROPERTY. THUS, AFTER THE SERVICE HAS MADE SUCH A DETERMINATION, PROPOSED PROCEDURE CAN BE FOLLOWED, IN ACCORDANCE WITH THE FOLLOWING.
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3. THE ONLY FOREIGN EXCESS PROPERTY WHICH MAY BE DONATED UNDER TITLE 40 UNITED STATES CODE, SECTION 512(A), AS AUTHORIZED BY THE HEAD OF THE RESPONSIBLE EXECUTIVE AGENCY, IS THAT PROPERTY"WHICH HAS NO COMMERCIAL VALUE OR THE ESTIMATED COST OF CARE AND HANDLING OF WHICH WOULD EXCEED THE ESTIMATED PROCEEDS FROM ITS SALE." FOREIGN EXCESS PROPERTY OF DOD WHICH DOES NOT FALL INTO THIS CATEGORY MAY BE GRANTED TO RTG UNDER MAP AUTHORITY INSTEAD OF DONA*WD TO
*

RTG UNDER THE QUOTED LEGAL AUTHORITY. SUCH MAP-GRANTED DOD PROPERTY IS EXCESS DEFENSE ARTICLES (EDA) FOR ALL PURPOSES. UNDER SECTION 8 OF P. L. 91-672 AS AMENDED ON 17 DECEMBER 1973, UP TO $150 MILLION WORTH OF FOREIGN-GENERATED EDA (ACTUAL VALUE PLUS GROSS COSTS, IF ANY, OF REPAIR, REHABILITATION, OR MODIFICATION) MAY BE GRANTED WITHOUT COST TO MAP (OTHER THAN FOR SUCH GROSS COSTS, IF ANY) DURING ANY FISCAL YEAR ON A WORLDWIDE BASIS. DSAA WILL PROVIDE INSTRUCTIONS TO MACTHAI WITH REGARD TO VALUATION AND TRANSFER PROCEDURES ON THE GRANT OF SUCH EDA TO RTG. NO PROGRAMMING DIFFICULTY IS SEEN REGARDING THE APPLICATION OF SECTION 8, OF P. L. 91-672, AS AMENDED, TO SUCH DOD PROPERTY EITHER IN THE CEILING AVAILABLE OR IN THE PROCEDURES AND LIMITATIONS NECESSARY THEREFORE. IN PARTICULAR, IT SHOUD BE NOTED THAT, WHEREAS PRIOR LANGUAGE OF SECTION 8 REQUIRED CHARGE AGAINST WORLDWIDE CEILING AT ONE-THIRD OF ACQUISITION COST, THE NEWLY AMENDED LANGUAGE REQUIRES ONLY THAT ACTUAL VALUE BE CHARGED AGAINST THE CEILING. PROVIDED THE EXCESS IS WITHIN THE $150 MILLION DSAA CEILING, THERE WILL BE NO COST TO THAI MAP EXCEPT FOR REHAB, REPAIR OR MODIFICATION COSTS INCURRED INCIDENT TO TURNOVER. WE ANTICIPATE NO CEILING PROBLEM DURING CURRENT FISCAL YEAR. KISSINGER

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